### MS: PATENT APPLICATION

H-972-03

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application:

T. WADA et al

Serial No. 09/811,467 Filed: March 20, 2001

Group Art Unit: Examiner: 2822

R. Potter

For: A SEMICONDUCTOR DEVICE AND A METHOD

OF MANUFACTURING THE SAME

AME

# REQUEST FOR DIVISIONAL APPLICATION UNDER 37 C.F.R. 1.53(b)

Commissioner for Patents MS: PATENT APPLICATION P.O. Box 1450 Alexandria, VA 22313-1450

August 27, 2003

Sir:

This is a request for filing a divisional application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/811,467, filed on March 20, 2001, entitled A SEMICONDUCTOR DEVICE AND A METHOD OF MANUFACTURING THE SAME, by all of the inventors named in the prior application.

- Enclosed is a copy of the prior application, including the Declaration as originally filed.
  - 2. The Filing Fee is calculated below:

# CLAIMS AS FILED IN THE PRIOR APPLICATION LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW PLUS ANY CLAIMS ADDED BY ACCOMPANYING PRELIMINARY AMENDMENT

Basic Fee									\$ 750.00
Total Claims	1	-	20	=	0	x	18	=	\$ 0.00
Independent Claims	1	-	3	=	1	х	84	=	\$ 0.00
Total Filing Fee									\$ 750 00

- A credit card payment form including the amount of \$750.00 is enclosed to cover the Filing Fee.
- 4. The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment, to Deposit Account No. 50-1417.
- 5. New drawings are enclosed, twenty-five (25) sheets, Figs. 1-29(b).
- 6. The power of attorney is set forth in the Declaration in the prior application or an associate power of attorney is hereby granted to:

Jeffrey M. Ketchum, Registration No. 31,174 Shrinath Malur, Registration No. 34,663 John R. Mattingly, Registration No. 30,293 Daniel J. Stanger, Registration No. 32,846 Gene W. Stockman, Registration No. 21,021.

There is not change in the correspondence address.

Address all future correspondence to:

MATTINGLY, STANGER & MALUR, P.C. 1800 Diagonal Road, Suite 370 Alexandria, Virginia 22314 Telephone: (703) 684-1120 Facsimile: (703) 684-1157

## Please associate this application with Customer No. 24956.

- 7. The prior application is assigned to Hitachi, Ltd.
- Priority of the following Japanese patent application(s) is claimed under 35 U.S.C. § 119:

No. 2000-082724, filed March 23, 2000.

The certified priority document was filed in prior application Serial No. 09/799,548.

The undersigned hereby declares that no matter contained in the specification, including the claims, and drawings filed in the present divisional application would have been new matter in the prior application Serial No. 09/811,467, as originally filed on March 20, 2001.

Respectfully submitted,

Daniel J. Stanger Registration No. 32,846

Registration No. 32,846 Attorney for Applicants

MATTINGLY, STANGER & MALUR, P.C. 1800 Diagonal Road, Suite 370 Alexandria, Virginia 22314 Telephone: (703) 684-1120 Facsimile: (703) 684-1157

Date: August 27, 2003